

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KEVIN GENE SCHIMEROWSKI,

Defendant.

No. CR 13-4038-MWB

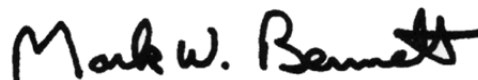
**MEMORANDUM OPINION AND
ORDER REGARDING DEFENDANT'S
MOTION IN LIMINE**

This case is before me on the defendant's August 14, 2013, Motion In Limine (docket no. 28). I have concluded that motions in limine that lack sufficient specificity may be denied without prejudice to objections at trial. *See, e.g., Estate of Thompson v. Kawasaki Heavy Indus., Ltd.*, ___ F. Supp. 2d ___, ___, 2013 WL 1248677, *29 (N.D. Iowa Feb. 25, 2013). This is such a motion, as the defendant fails to identify any of the "alleged prior convictions or 'bad acts'" that are the subject of his motion, let alone in what way admitting evidence of such "alleged prior convictions or 'bad acts'" would violate Rules 403 and 404 of the Federal Rules of Evidence or 21 U.S.C. § 851(c)(1).

THEREFORE, the defendant's August 14, 2013, Motion In Limine (docket no. 28) is **denied without prejudice** to refile of an adequate motion that would allow pretrial determination of the admissibility of challenged evidence or to objections at trial. The prosecution need not respond to the present Motion (docket no. 28).

IT IS SO ORDERED.

DATED this 14th day of August, 2013.



MARK W. BENNETT
U.S. DISTRICT COURT JUDGE
NORTHERN DISTRICT OF IOWA